

January 5, 2022

The regular meeting of the Everett City Council was called to order at 6:30 p.m., January 5, 2022, President Stonecipher presiding. President Stonecipher announced that the Council is still abiding by Governor Inslee's Healthy Washington guidelines, and as a result, City Council meetings will continue to be held remotely with all meetings scheduled at 6:30 p.m. each Wednesday, except the fourth Wednesday of the month when the meeting is scheduled at 12:30 p.m. She stated the City Council is prepared to open the Council chambers when public health considerations indicate it is safe to do so.

President Stonecipher announced that the public is encouraged to view meetings live on Comcast Channel 21, Frontier Channel 29, and on the City website at [www.everettwa.gov/citycouncil](http://www.everettwa.gov/citycouncil). Individuals may also call in to listen to the live meeting at any point by dialing 425.616.3920, Conference ID 724 887 726#. She stated the public is welcome to provide comments on any matter via email at [council@everettwa.gov](mailto:council@everettwa.gov). She also provided instructions for community members wishing to participate live during a future meeting. She asked that comments be respectful, and remarks limited to three minutes. She added that the Council does not allow comments on certain issues such as: campaigning of any kind – whether for or against ballot measures or candidates running for office, which is legally prohibited at the meeting; and comments focused on personal matters that are unrelated to City business.

Upon roll call, it was found that Mayor Franklin, Council Members Tuohy, Fosse, Zarlingo, Rhyne, Schwab, Vogeli and President Stonecipher were present.

On behalf of the City Council, Council President Stonecipher acknowledged the original inhabitants of this place, the sduhubš people and their successors, the Tulalip Tribes.

Council Member Rhyne led the Pledge of Allegiance.

The minutes of the December 22, 2021, City Council meeting were approved as printed.

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## MAYOR

Mayor Franklin welcomed the new council members. She spoke about the increase in COVID-19 cases and the rapid spread of Omicron. She urged the public and staff to continue to mask up when around other people and take the necessary precautions to keep everyone safe.

Mayor Franklin stated that the City is aware of the traffic challenges that are related to the COVID testing site located downtown. The sites are important, and the demand for tests have increased. The City is working directly with the site manager to find a more suitable location that will cause fewer traffic impacts and safety concerns.

Mayor Franklin invited Ryan Sass, Public Works Director, to provide a summary of the work the City teams delivered during the recent snow events.

Ryan Sass stated from Sunday, December 26<sup>th</sup> through Sunday, January 2<sup>nd</sup>, the Everett Street Division crews plowed approximately 7,910 miles and placed 2,030 cubic yards of sand and deicer during 24/7 continuous operations. Public Works crews are first responders for snow and ice. The group is divided into a 12-hour night crew and a 12-hour day crew. Water and Sewer crews also assist to supplement for staff shortages during shifts, respond to service requests, operate and fill loaders, and clear areas as needed.

## COUNCIL

Council Member Tuohy welcomed the four new council members and thanked Ryan Sass and the team for their hard work during the snow events.

Council Member Fosse thanked her neighbors and the community for the opportunity to work on some of Everett's challenges, and stated that the themes and issues were clear as she spoke with her neighbors over the last several months. She loves Everett and looks forward to working with everyone.

Council Member Zarlingo thanked Council President Stonecipher and Mayor Franklin for their work on putting together the committee and liaison

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assignments. He also thanked Ryan Sass and the crews for their work in the snow events.

Council Member Rhyne thanked her fellow council members and Mayor Franklin. She stated she was honored to be a part of the Council and thanked Ryan Sass, the crews, and first responders for the continuous efforts with the snow events and keeping the City safe and healthy during the pandemic. She shared her upcoming assignments that include Chair of the Economic and Cultural Vitality Committee, and member of the Homelessness and Housing, and Parks and Quality of Life Services Committees. She will also be a liaison for the Parks Board, Library Board, and Council of Neighborhoods, has been appointed to the Homelessness Advisory Committee, and will serve as neighborhood liaison on various neighborhood associations in District 2. Council Member Rhyne then briefly described her priorities for the next four years on Council, which include housing affordability and homelessness alleviation, economic recovery from COVID and revitalization of our urban center, combating climate change, and public safety.

Council Member Schwab thanked the staff for their support, and the Council President and Mayor for their work on the new assignments. He stated that it is an honor to serve and looks forward to beginning his work on the Council.

Council Member Vogeli spoke about the COVID testing site mentioned in North Everett that was causing traffic and safety concerns, and noted that there was another location in South Everett that was generating the same issues. Mayor Franklin stated that she would reach out to the appropriate staff and look into it. Council Member Vogeli thanked staff for their work during the snow events.

Council President Stonecipher discussed the council assignments, resources for council members to receive training, and scheduling of the council retreat. She discussed the ongoing concerns at Providence Hospital and the strain on the healthcare system related to the pandemic. She reminded the public and staff to continue to use best practices to stay safe and healthy, and urged anyone who had not had the opportunity to get vaccinated to do so.

Council President Stonecipher noted that Consent items five and six have been moved to the Action section of the agenda to allow for additional discussion.

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ADMINISTRATION UPDATE

Lori Cummings, Executive Director, stated that on behalf of the staff, they are looking forward to working with all of the council members this year. She requested Nichole Webber to give a brief update on the districting process.

Nichole Webber, Project Manager for Administration, gave an update on the upcoming district process.

CITY ATTORNEY

City Attorney David Hall had no comments but requested a 10-minute Executive Session to discuss a litigation matter, pursuant RCW 42.31.101 with potential Council action to follow.

PUBLIC COMMENT

Deb Williams stated there were no citizens who wished to speak and no citizens who submitted written comment prior to the meeting.

CONSENT ITEMS:

**Moved by Council Member Tuohy, seconded by Council Member Vogeli, to approve the following Consent items:**

RESOLUTION - CLAIMS

**To adopt Resolution No. 7729 authorizing claims against the City of Everett in the amount of \$1,202,700.66 for the period of December 11, 2021, through December 17, 2021.**



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RESOLUTION - CLAIMS

To adopt Resolution No. 7730 authorizing claims against the City of Everett in the amount of \$1,255,075.86 for the period of December 18, 2021, through December 23, 2021.

RESOLUTION – PAYROLL CLAIMS

To adopt Resolution No. 7731 authorizing payroll claims against the City of Everett in the amount of \$4,153,302.23 for the period ending December 18, 2021.

RESOLUTION – ELECTRONIC TRANSFER CLAIMS

To adopt Resolution No. 7732 authorizing electronic transfer claims against the City of Everett in the amount of \$7,333,515.39 for the period of November 1, 2021, through November 30, 2021.

AGREEMENT AMENDMENT – COMPREHENSIVE WATER AND SEWER COST OF SERVICE STUDY INCREASE IN AMOUNT AND EXTENSION OF CONTRACT

To authorize the Mayor to sign Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc. to perform a comprehensive water and sewer cost of service study, increasing the contract amount by \$25,679 and extending the contract through 2023.

AGREEMENT SUPPLEMENT – ENGINEERING SERVICES DURING CONSTRUCTION FOR THE PORT GARDNER STORAGE FACILITY

To authorize the Mayor to sign the Supplemental Agreement 2 to the Professional Services Agreement with HDR, Inc. to provide engineering services during construction for the Port Gardner Storage Facility – Facilities Plan (PGSF) in an amount not to exceed \$79,893.

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CALL FOR BIDS – 2022 PAVEMENT MAINTENANCE OVERLAY PROJECT

**To authorize a Call for Bids for the 2022 Pavement Maintenance Overlay Project.**

AGREEMENT – WPCF TFI BAR SCREEN UPGRADES PROJECT

**To authorize the Mayor to sign the Professional Services Agreement with BHC Consultants for the Water Pollution Control Facility (WPCF) TFI Bar Screen Upgrades Project in the amount not to exceed \$62,676.**

AGREEMENT – STORMWATER MANAGEMENT ACTION PLAN (SMAP)

**To authorize the Mayor to sign the Professional Services Agreement with Parametrix in the amount not to exceed \$225,000.**

Roll was called with all council members voting yes.

**Motion carried.**

**ACTION ITEMS:**

RESOLUTION – GUIDELINES FOR EXECUTION OF CONTRACTS

**Moved by Council Member Tuohy, seconded by Council Member Zarlingo, to adopt the Resolution No. 7733 authorizing the use of electronic signatures and adopting a policy regarding such use, and the Resolution No. 7734 regarding guidelines for execution of contracts.**

Council Member Zarlingo asked if these Resolutions had any impact on public visibility into the issues.

Council Member Rhyne requested to table this item. She had questions regarding the Chief Administrative Assistant role, the language, and guidelines within the Resolution regarding who can sign contracts and which contracts are authorized to be signed by designees.

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Mayor Franklin provided background on the Chief Administrative Assistant position. She noted that while she chose not to fill this position in her administration, it still exists and was included in the guidelines so that it would be available should a future mayor choose to make that delegation.

Assistant City Attorney Tim Benedict spoke on the guidelines and that they are based on the City Charter. He noted that in some cases it may be useful for the Mayor to delegate the authority to sign certain agreements to department heads or Chief Administrative Assistant in accordance with guidelines established by City Council.

Council Member Vogeli had questions regarding who signs contracts and the process. Assistant City Attorney Tim Benedict reviewed the process and stated that the Mayor and the Mayor Pro Tem are the individuals who are currently authorized to sign. Council Member Vogeli had additional questions regarding the Chief Administrative Assistant role and requested an amendment to remove the title.

President Stonecipher agreed with other council members in supporting electronic signatures. She also discussed concerns with expanding signature authority and potential issues that may arise from the signing authorities given within the Execution of Contracts Resolution.

Council Member Tuohy indicated her support of electronic signatures, but agreed with President Stonecipher and other council members regarding signing authority issues that could occur.

Council Member Fosse had questions regarding the number of copies that are created for each contract and if these Resolutions would help reduce the amount of paper used in the process.

Mayor Franklin said that staff is working on it and she is hopeful that moving to electronic signatures will reduce the number of paper copies generated.

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Council Member Zarlingo expressed his appreciation for Council Member Stonecipher's discussion on the intent of the Charter and agreed that the guidelines for contract execution deserves additional examination. He also indicated his support for moving forward with electronic signatures.

Council Member Rhyne asked about the contractual thresholds for department heads having signing authority.

Council members requested to have further discussions regarding the language within the Resolution regarding guidelines for execution of contracts. Mayor Franklin stated that Tim Benedict, Deputy City Attorney, and Lori Cummings, Administration, would meet and work with staff to revise the Resolution and bring it back to Council at a later date.

**Council Member Schwab made an amendment to the motion to remove item #6 Resolution No. 7034 from the action, Council Member Rhyne seconded the motion.**

Roll was called with all council members voting yes.

**Motion carried.**

Upon receiving clarification, Council Member Tuohy withdrew her original motion, Council Member Zarlingo withdrew his second.

**Moved by Council Member Schwab, seconded by Council Member Rhyne, to table Resolution No. 7734 regarding guidelines for execution of contracts.**

Roll was called with all Council Members voting yes.

**Item tabled.**



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RESOLUTION – ELECTRONIC SIGNATURES AND ADOPTING A POLICY  
REGARDING SUCH USE

**Moved by Council Member Rhyne, seconded by Council Member Tuohy, to adopt Resolution No. 7733 regarding electronic signatures and adopting a policy regarding such use.**

Roll was called with all Council Members voting yes.

**Motion carried.**

NOMINATION – COUNCIL PRESIDENT FOR THE YEAR 2022

**Moved by Council Member Tuohy, seconded by Council Member Vogeli, to nominate Council Member Stonecipher as Council President / Mayor Pro Tem for the year 2022.**

Council Member Zarlingo concurred with Council Member Tuohy's statement in support of her nomination of Council Stonecipher.

Council Member Rhyne expressed her support of the nomination and requested a Vice President role be established in this year or the next. She is also in favor of seeing other seasoned and qualified council members being placed on pathways toward leadership roles.

Council Member Schwab indicated his support of the nomination.

Council Member Vogeli expressed her appreciation for Council Member Stonecipher's leadership. She also requested to discuss a new process in the nomination of a Council President/Mayor Pro Tem. She asked to form a committee prior to the council retreat to present recommendations to Council at that time.

Council President Stonecipher stated she was honored to be nominated and looks forward to working with Council to review and modify Council procedures.

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Roll was called with all council members voting yes.

**Motion carried.**

EXECUTIVE SESSION:

The City Council recessed for an Executive Session at 7:39 p.m., began the Executive Session at 7:39 p.m.

The City Council meeting reconvened at 7:51 p.m.

City Attorney David Hall provided an overview of a lawsuit settlement with Faye Woods.

SETTLEMENT – FAYE WOODS

**Moved by Council Member Zarlingo, seconded by Council Member Schwab to authorize the Mayor to sign the settlement agreement with Faye Woods in the amount of \$50,000.**

Roll was called with all council members voting yes.

**Motion carried.**

President Stonecipher announced that the next meeting of the Council is scheduled for Wednesday, January 12<sup>th</sup> at 6:30 p.m. She encouraged citizens to submit comments to [council@everettwa.gov](mailto:council@everettwa.gov) prior to the meeting. Additional meeting information can be found on the City website.

The City Council meeting adjourned at 7:53 p.m.

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A handwritten signature in black ink, appearing to be "HBA", written over a horizontal line.

Deputy City Clerk

Read and approved as printed.

A handwritten signature in blue ink, appearing to be "Buck Offin", written over a horizontal line.

Council President